

REGISTER



South Dakota Legislative Research Council

Volume 38

Tuesday, 8:00 a.m., February 21, 2012

NOTICES OF PROPOSED RULES: (The date in parentheses is the date the rules were filed in the Legislative Research Council.)

Department of Health: Board of Dentistry: (February 16, 2012) intends to amend rules to remove obsolete provisions and references, update references, clarify existing rules relating to requirements of dentists and dental hygienists seeking licensure, clarify existing rules relating to foreign trained dentists and dental hygienists seek licensure, amend continuing education requirements to increase the number of hours of home study courses that can be claimed in a five year continuing education cycle, clarify cardiopulmonary resuscitation courses that are accepted, extend corporation renewal deadline, increase fees across licensee and registrant categories, and implement collaborative supervision rules. The general authority for these rules, as cited by the board is SDCL 36-6A-14, 36-6A-40.1, 36-6A-40.2, 36-6A-44, 36-6A-47, 36-6A-50, and 36-6A-55.

A public hearing will be held in the South Dakota High School Activities Association Large Conference Room, 804 N. Euclid Ave., Pierre, South Dakota, on March 26, 2012, at 10:00 a.m. Copies of the proposed rules may be obtained without charge from and written comments sent to the South Dakota Board of Dentistry, P.O. Box 1079, 105 S. Euclid, Suite C, Pierre, South Dakota 57501. Material sent by mail must reach the Board by March 20, 2012, to be considered. This hearing is being held in a physically accessible place. Persons who have special needs for which the department can make arrangements are asked to call (605) 224-1282 at least 48 hours before the hearing.

Department of Revenue: Commission on Gaming: (February 17, 2012) is proposing to amend a Racing rule to clarify that wagers through multi-jurisdictional totalizator hubs are done without using simulcast site facilities or equipment; amend Gaming rules to clarify that the bonus bet is an optional bet and to clarify when the three card option should be utilized with the play Let it Ride; add an additional pay table to Ultimate Texas Hold'em; add a variation of poker known as Casino War; delete the reference to meter sign reconciliation; clarify which forms are to be used in a jackpot payout; remove a function that is not a count team function and clarify the rule; clarify which forms are to be used whenever funds are distributed to a slot machine; address storage issues for operators due to the large number of vouchers redeemed daily; and adopt the 2009 edition, including appendix chapters, of the International Building Code. The general authority for these rules, as cited by the commission, is SDCL 42-7-56, 42-7B-4, 42-7B-7, and 42-7B-11.

A public hearing will be held at the City Hall, 102 Sherman Street, Deadwood, South Dakota, on March 14, 2012, at 9:00 a.m. MT. Copies of the proposed rules may be obtained without charge from and written comments sent to the South Dakota Commission on Gaming, 221 West Capitol Avenue, Suite 101, c/o 1320 East Sioux Avenue, Pierre, South Dakota 57501-3100. Materials sent by mail must reach the Commission on Gaming by March 12, 2012, to be considered. However, the Commission requests that all written comments be received by March 9, 2012, to allow for adequate consideration prior to the hearing. This hearing is being held in a physically accessible

place. Persons who have special needs for which the commission can make arrangements are asked to call (605) 773-6050 or (605) 578-3074 at least 48 hours before the hearing.

FILINGS IN THE SECRETARY OF STATE'S OFFICE:

Executive Appointment:

Rick L. Cronin, Fort Pierre, was appointed on February 15, 2012, to the **South Dakota Commission on Child Support**, effective immediately and shall continue until December 31, 2012.

JOINT POWERS AGREEMENTS ON FILE WITH THE LEGISLATIVE RESEARCH COUNCIL:

The **Department of Agriculture, Division of Wildland Fire Suppression** has filed 27 joint powers agreements with the following political subdivisions: Colome Volunteer Fire Department (VFD); Murdo VFD; DeSmet Fire Department; Humboldt Fire and Ambulance Service; Camp Crook Community Fire Department; North Haines VFD; Colman Fire and Rescue; Selby Fire Department; Roscoe

VFD; Ipswich Fire Department; Ludlow VFD; Brandon VFD; Hayward Fire & Emergency Services; St. Onge VFD; Highlands Fire Department; Trent VFD; Interior VFD; Dallas VFD; City of Madison; Lemmon Fire Department; Vivian VFD; Stockholm VFD; McIntosh VFD; Keystone Fire Department; Silver City VFD; Wall Fire Department; and Armour Fire Department.

The agreements are for 5 year terms extending from 2011 to 2016 and provide the cooperative assistance between the contracting parties relating to wildland fire suppression. Copies of the agreements are available from the Department of Agriculture.

Note: A copy of the rules may be obtained directly from the above agencies. Write to the agency at the address given under "Notices of Proposed Rules." There is no charge for proposed rules. The following agencies have permission from the Interim Rules Review Committee to charge for adopted rules: the Division of Insurance, the Cosmetology Commission, the State Board of Examiners in Optometry, the State Plumbing Commission, the Board of Nursing, the Department of Social Services, the State Electrical Commission, the South Dakota Board of Pharmacy, the Real Estate Commission, the Gaming Commission, the Department of Revenue and Regulation, and the Department of Labor for Article 47:03.

REMINDER OF HEARINGS SCHEDULED

2-23-2012	Transportation	Amend a speed zone in Turner County on U.S. Highway 18 near Davis; 38 SDR 131.
3-1-2012	Game, Fish and Parks	Amend Public Water Zoning rules to create a "no wake zone" on Richmond Lake (Brown County), Mina Lake (Edmunds County), and Lake Mitchell (Davison County) during certain periods of high water, amend the boundaries of the existing "no wake zone" on the west end of Lake Mitchell (Davison County), create an "electric motors zone" on the waters of Rollings Game Production Area (Lincoln County), amend an existing "no motors zone" to an "electric motors zone" on the waters of Family Park (Minnehaha County), and amend an existing "public swimming zone" to a "no wake zone" on the waters of Lewis and Clark

		Lake (Yankton County) adjacent to Canary Beach; amend Motorboats and Watercraft rules to clarify that Coast Guard approved fire extinguishers carried on boats must be in working order, and revise the provisions for emergency signals on law enforcement and emergency rescue boats; amend West River Prairie Deer Season and Hunting License Fees rules to increase the number of both resident and nonresident "special any deer" licenses from 500 to 600 and increase the license fee for nonresident licenses from \$500 to \$600; and amend a Snagging of Paddlefish rule to clarify that the length restrictions in rule only apply to paddlefish snagged below Gavin's Point Dam. 38 SDR 131.
3-14-2012	Revenue: Commission on Gaming	Amend a Racing rule to clarify that wagers through multi-jurisdictional totalizator hubs are done without using simulcast site facilities or equipment; amend Gaming rules to clarify that the bonus bet is an optional bet and to clarify when the three card option should be utilized with the play Let it Ride; add an additional pay table to Ultimate Texas Hold'em; add a variation of poker known as Casino War; delete the reference to meter sign reconciliation; clarify which forms are to be used in a jackpot payout; remove a function that is not a count team function and clarify the rule; clarify which forms are to be used whenever funds are distributed to a slot machine; address storage issues for operators due to the large number of vouchers redeemed daily; and adopt the 2009 edition, including appendix chapters, of the International Building Code; 38 SDR 139.
3-26-2012	Health: Board of Dentistry	Amend rules to remove obsolete provisions and references, update references, clarify existing rules relating to requirements of dentists and dental hygienists seeking licensure, clarify existing rules relating to foreign trained dentists and dental hygienists seek licensure, amend continuing education requirements to increase the number of hours of home study courses that can be claimed in a five year continuing education cycle, clarify cardiopulmonary resuscitation courses that are accepted, extend corporation renewal deadline,

		increase fees across licensee and registrant categories, and implement collaborative supervision rules; 38 SDR 139.
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RULES REVIEW COMMITTEE MEETINGS

The Interim Rules Review Committee will have an informal meeting near the close of the Eighty-seventh Legislative Session to set the tentative meeting schedule for the 2012 interim. Watch for a notice of this informal meeting on the LRC website and at the Capitol.

Note: An updated version of the Administrative Rules Guide to Form and Style is available on the Legislative Web site at <http://legis.state.sd.us/rules/index.aspx>.